

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Chanel, Inc.,

Plaintiff,

v.

The RealReal, Inc.,

Defendant.

Case No. 1:18-cv-10626-VSB

PROPOSED ORDER

WHEREAS, the Court issued an Opinion & Order granting in part and denying in part Defendant's Motion to Dismiss First Amended Complaint on March 30, 2020 (ECF No. 39);

WHEREAS, the deadline for Defendant to answer Plaintiff's First Amended Complaint is currently April 29, 2020;

WHEREAS, on March 16, 2020, the White House, in order to reduce the spread of the COVID-19 virus, advised all Americans to work at home whenever possible for at least the next fifteen days (<https://www.whitehouse.gov/articles/15-days-slow-spread/>);

WHEREAS, on March 29, 2020, the White House extended its coronavirus guidelines for at least another month, to April 30, 2020 (<https://www.whitehouse.gov/articles/these-30-days-how-you-can-help/>);

WHEREAS, on March 19, 2020, the Governor of California issued a "stay at home" order to apply statewide, which will remain in place until further notice (<https://covid19.ca.gov/img/N-33-20.pdf>);

WHEREAS, on March 31, 2020, the City and County of San Francisco, California, issued an extended and more restrictive "stay at home" order through at least May 3, 2020

(<https://www.sfdph.org/dph/alerts/files/HealthOfficerOrder-C19-07b-ShelterInPlace-03312020.pdf>);

WHEREAS, effective March 22, 2020, the Governor of New York issued a “stay at home” order to apply statewide

(https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.8.pdf);

WHEREAS, on April 16, 2020, the Governor of New York extended the statewide “stay at home” order through at least May 15, 2020

(https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.18.pdf);

WHEREAS, effective March 30, 2020, the United States District Court for the Southern District of New York has curtailed operations in response to the COVID-19 virus through at least May 4, 2020

([https://www.nysd.uscourts.gov/sites/default/files/2020-](https://www.nysd.uscourts.gov/sites/default/files/2020-04/courthouseoperations.asofapril13.pdf)

[04/courthouseoperations.asofapril13.pdf](https://www.nysd.uscourts.gov/sites/default/files/2020-04/courthouseoperations.asofapril13.pdf));

WHEREAS, Defendant is headquartered in San Francisco, California;

WHEREAS, Defendant’s counsel are principally located in New York, New York and Los Angeles, California;

WHEREAS, the law firms of Defendant’s counsel have closed their offices except for emergency personnel and advised all legal personnel to work at home;

WHEREAS, due to the restrictions noted above, counsel are working from home, are not conducting in-person business meetings with other individuals, and are currently unable to travel away from their respective residences for business purposes;

WHEREAS, Defendant made multiple attempts to obtain Plaintiff’s consent to a sixty-day extension of Defendant’s time to answer Plaintiff’s First Amended Complaint, in light of the current

public health emergency due to the COVID-19 virus, but Plaintiff consented to only a thirty-day extension;

WHEREAS, Defendant does not make this request for delay or any other improper purpose, and the request is made as a result of the current public health emergency due to the COVID-19 virus;

WHEREAS, the parties previously stipulated to, and this Court so-ordered, schedules for the briefing of Defendant's Motion to Dismiss Complaint (ECF Nos. 8 & 9) and Motion to Dismiss First Amended Complaint (ECF Nos. 27 & 28); and

WHEREAS, Defendant has not made a previous request for an extension of the time to answer Plaintiff's First Amended Complaint;

IT IS HEREBY ORDERED that the time for Defendant to answer Plaintiff's First Amended Complaint is extended by sixty days to June 29, 2020.

Date: April __, 2020

Hon. Vernon S. Broderick
United States District Judge